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through partnership

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July 16, 2025

VIA ECF

Honorable Jerrold N. Poslusny, Jr.
Mitchell H. Cohen U.S. Courthouse
400 Cooper Street, 4th Floor
Camden, New Jersey 08101

Re: Daryl Fred Heller, Case No. 25-11354 (JNP)

Dear Your Honor:

I write as counsel to Edward A. Phillips, the court-appointed Examiner in this chapter 11 case. The following matters are currently scheduled to be heard before the United States Bankruptcy Court for the District of New Jersey (the "Court") on July 17, 2025 at 2:00 p.m. (ET) (the "Hearing"):

- i. *Application for an Order Authorizing Release of Funds from McManimon, Scotland & Bauman, LLC'S Attorney Trust Account for Payment of Attorney's Fees and Costs Regarding the Third Monthly Fee Statement Pursuant to the Administrative Fee Order*, filed June 2, 2025 [Docket No. 295]
 - a. *Objection of Edward A. Phillips, as Examiner to Debtor's Application for an Order Authorizing Release of Funds from McManimon, Scotland & Bauman, LLC'S Attorney Trust Account for Payment of Attorney's Fees and Costs Regarding the Third Monthly Fee Statement Pursuant to the Administrative Fee Order*, filed June 9, 2025 [Docket No. 325]
- ii. *The Application for an Order Authorizing (I) Release of Funds for Payment of Administrative Fees and Expenses of Edward A. Phillips, as the Examiner, Pursuant to the Administrative Fee Order*, filed June 12, 2025 [Docket No. 332]
 - a. *Objection of Orrstown Bank to Application for an Order Authorizing Release of Funds for Payment of Administrative Fees and Expenses of Edward A. Phillips, as the Examiner, Pursuant to the Administrative Fee Order*, filed June 19, 2025 [Docket No. 342]
 - b. McManimon, Scotland & Baumann, LLC's ("MSB") letter to the Court objecting to the Application, filed June 19, 2025 [Docket No. 343]
- iii. *Second Monthly Fee Statement of Edward A. Phillips, Examiner, for the Period From April 1, 2025 Through April 30, 2025*, filed May 21, 2025 [Docket No. 264]

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- a. *Limited Objection to (I) Monthly Fee Statement of Reed Smith, Counsel for the Examiner, for the Period From March 18, 2025 Through April 30, 2025, (II) Second Monthly Fee Statement of Edward A. Phillips, Examiner, for the Period From April 1, 2025 Through April 30, 2025, (III) First Monthly Fee Statement of Getzler Henrich & Associates, LLC, Financial Advisor to the Examiner, for the Period From April 1, 2025 Through April 30, 2025, filed June 4, 2025 [Docket No. 305] (the “Limited Objection”)*
- iv. *First Monthly Fee Statement of Reed Smith, Counsel for the Examiner, for the Period From March 18, 2025 Through April 30, 2025, filed May 21, 2025 [Docket No. 267]*
 - a. The Limited Objection
- v. *First Monthly Fee Statement of Getzler Henrich & Associates, LLC, Financial Advisor to the Examiner, for the Period From April 1, 2025 Through April 30, 2025, filed May 21, 2025 [Docket No. 268]*
 - a. The Limited Objection

All of the foregoing matters have been consensually resolved. Respective counsel to the Examiner and MSB have circulated draft proposed orders to each other and will file proposed orders addressing the proposed resolutions.

Accordingly, unless Your Honor has any issues with the foregoing, and if acceptable to Your Honor, we respectfully request that the Court cancel the Hearing.

Respectfully submitted,

/s/ Kurt F. Gwynne

Kurt F. Gwynne

KFG:er

Cc: Sari Placona, Esquire (via email)
Anthony Sodono, Esquire (via email)
Martin Weis, Esquire (via email)
Jeffrey Sponder, Esquire (via email)
Parties in Interest (via ECF)